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| Environmental Quality |

State of Utah

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DIVISION OF ENVIRONMENTAL
RESPONSE AND REMEDIATION

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January 2014

UTAH TIER 2
SUPPLEMENTAL GUIDANCE DOCUMENT

Reporting Year 2013

Emergency Planning & Community Right-to-Know Act (EPCRA) Section 312

This document provides guidance for submitting annual EPCRA chemical inventory report data, commonly known as Tier 2, for Reporting Year 2013. Pursuant to federal regulations, EPCRA requires each facility subject to reporting, to make its submissions to three entities: (1) Fire Department with jurisdiction over your facility; (2) Local Emergency Planning Committee (LEPC); and, (3) Utah State Emergency Response Commission (SERC).

Under Utah Code Title 53 Emergency Management (Chapter 2a §702), the Utah Department of Environmental Quality (UDEQ) has primary responsibility for receiving, processing, and managing hazardous chemical information and notifications under the federal Emergency Planning and Community Right-to-Know Act of 1986. Management of Tier 2 data is delegated to the UDEQ Division of Environmental Response and Remediation (hereafter referenced as UDEQ).

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INTRODUCTION

The information presented in this document is offered as an annual reminder to prepare and submit Tier 2 Chemical Inventory records. Please be sure to review the information about the Utah Facility ID Number, facility zip code location information, and the UDEQ email address to which you may submit the Tier 2 information.

An overview of the federal EPCRA program is available at http://www2.epa.gov/epcra-tier-i-and-tier-ii-reporting/epcra-fact-sheet.

1.0 EPA Tier2Submit Software and Instructional Information

EPA and Utah approved *Tier2Submit* software for RY2013, forms, instructions and other supporting information are available for download from EPA's website at:

> http://www2.epa.gov/epcra-tier-i-and-tier-ii-reporting

This software facilitates preparation of an electronic file containing your chemical inventory information. The *Tier2Submit* software helps to assure your submission is processed in to the state data system with greatest efficiency and accuracy. The electronic file submission replaces the hardcopy submission.

UDEQ recommends use of the software to prepare the electronic file for submission. Email is the preferred method for completing the electronic submission. Other types of submissions take longer to process and may have errors. This guidance document also provides additional discussion and explanation on the most common causes of validation errors and how to avoid them. See section 4.0 for detailed information describing where to submit Tier 2 data.

1.1 Application and File Behavior – Verify and Save Your Data

Creating a data file: The user will not find the *typical* pathway File > Save As in this application. The application was designed in a manner that requires the user to first execute a data-validation process. After the data are validated, the software will present the user with options to print and/or save to a file.

Submission of the Data File: The Tier2Submit software does **not** initiate a direct electronic submission via the internet. The *Tier2Submit* software will allow the user to create and save a file (just as a user would create and save a letter or spreadsheet file). The application will affix a filename extension of ".t2s". There is no need to zip, or otherwise compress this file, it can be sent as-is as a standard attachment to email submissions.

1.2 Changes to EPA's Current Tier2Submit Software

- Added new Manned/Unmanned facility checkboxes
- Added "Dun and Bradstreet Number (Parent Company)" field (only available when Parent Company is chosen as a Contact Type)
- Added "Confidential" checkbox for chemical storage locations

- Added Maximum Code range field (for maximum daily amount of chemical on-site) for mixture components
- Added "Maximum No. of Occupants" field
- Removed "Number of Employees on-site" field
- Removed latitude/longitude method and description fields
- Switched to using new 2013 range code values for Maximum and Average Daily Amounts of chemicals on-site
- Switched to using full descriptive phrases (rather than codes) for container type, pressure, and temperature
- Updated complete paper report option based on field changes
- Removed original-style report option
- Enhanced search behavior so the you can use either the Search button (on the screen) or the Enter/Return key (on your keyboard) to start the search
- Expanded window size and screen layout
- Updated state-specific fields
- Made minor bug fixes and changes

EPA provides technical support: call the Reporting Center at (301) 429-5018 or email: userrmp.usersupport@csc.com. Additional assistance is available from the EPA Risk Management Plan Reporting Center at RMPRC@epccdx.net or call (703) 227-7650. The RMP Reporting Center is staffed on weekdays from 8 a.m. to 4:30 p.m., Eastern Time.

1.3 Facility Geographic Coordinate Data

Tier 2 data is used by local emergency response agencies (i.e. local fire departments) to determine what hazardous chemicals may be involved in an emergency event. When responders mobilize to a facility, this information provides them with the ability to:

- Prepare for potential hazards associated with the particular chemical(s) present;
- Prepare itself with proper personal protective equipment; and,
- Predict hazardous materials produced from the unintended mixing of non-compatible chemicals.

It is imperative that emergency response agencies receive accurate facility location information. Latitude and longitude data is ideal, and *Tier2Submit* software provides the facility an opportunity to provide this data under the Location tab.

2.0 Data Submission Deadline, Reporting Year, and Thresholds – Items to Remember

Please note the following deadlines when preparing your Tier 2 submission:
- Tier 2 reports are due (annually) on or before **March 1st.**
- Tier 2 reports due on March 1, 2014 should reflect chemical inventories for previous calendar year **Jan 1 – Dec 31, 2013.**
- Tier 2 reports should be completed for each *hazardous chemical* present in amounts 10,000 pounds or greater: the term *hazardous chemical* is defined in the Hazard Communication Standard.[1]

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[1] OSHA 29 CFR §1910.1200(c)

- Tier 2 reports should also be completed for *extremely hazardous substances* (EHS) present at the facility in amounts equal to or exceeding the Threshold Planning Quantity (TPQ) or 500 lbs whichever is less. The TPQ is identified in the code of federal regulations (CFR) under 40 CFR part 355 list of extremely hazardous substances under the column heading "Threshold Planning Quantity (pounds)."

3.0 Utah-Specific Information and Data

UDEQ is working toward electronic integration of Tier 2 data. To assist our agency in this goal, if you plan to submit your Tier 2 data in electronic format, we request that you include your Utah Tier 2 ID Number for each facility.

3.1 Facility State ID Number

If you do not have a Utah Tier2 ID number, please send a request via email for a Utah Tier 2 ID number assignment to eqderrtier2@utah.gov. Include the facility name (as you want it to appear on the record), address, and zip code (zip code of the facility's physical location). UDEQ will establish a new record and the State ID number for your facility and provide it to you via email.

The *Tier2Submit* software enables a facility to enter a *State ID* Number in the Facilities window under the tab titled *ID and Regs* (see figure below). The Tier 2 *State ID* Number is a 4-digit number generated by our database. Select the ID Type "*State ID*" from the drop-down list as shown in the figure below.

3.2 Unique Filename

The SERC, LEPCs and Local Fire Departments can receive up to several hundred submissions. In an effort to archive all electronic data, the SERC saves the submission file to a network system. We will save the file prior to uploading the data into our database. When we receive a file with a generic name such as "**Tier2 Submission.t2s"** it may not be distinguished from files received from other facilities. For this reason, when you save your data to a file, please assign a filename that clearly distinguishes it. UDEQ suggests using a filename that includes the facility name such as "**FacilityNameXYZ_ry2014.t2s"**.

3.3 Facility Zip Code Data Accuracy

Based on the current data requirements set forth by EPCRA, the State of Utah uses the facility zip code (a required data field) in coordination with Geographic Information Systems (GIS) utilities to reconcile a facility location. For this reason please verify that the zip code you provide for the facility is consistent with the actual physical location.

For instances where the facility is located in a rural and/or otherwise remote location and no other zip code can be determined, please provide the zip code for the closest valid city *located within the same zip code zone* in which the facility is located. The United States Postal Service offers a zip code lookup utility at www.usps.gov under Quick Tools.

3.4 Organization of Local Emergency Planning Committees (LEPCs) in Utah

LEPCs - Utah has a total 32 LEPCs. Twenty-nine LEPCs operate at the county-level. Three LEPCs operate at the municipal level: 1) Salt Lake City, 2) West Jordan, and 3) West Valley City. All three municipal LEPCs are in Salt Lake County. If your facility resides within the jurisdiction of one of these municipal LEPC, you should make your submission to the local LEPC and you do not need to submit to the county LEPC (submission is still required to the Fire Department and SERC).

3.4.1 Salt Lake County

A facility that is located in Salt Lake County and is not located within the jurisdiction of (1) Salt Lake City, (2) West Jordan City or (3) West Valley City should submit a Tier 2 report to the Salt Lake County LEPC.

For additional information see the Salt Lake County Unified Fire Authority (UFA) website at:
    http://www.slcoem.org/index.html (see the "About Us" tab for a list of staff contacts)
    http://www.unifiedfire.org/

For more information about the Salt Lake County LEPC (or UFA) call (801) 743-7100, or (801) 743-7122 or send inquiries via email to fi-lepc@ufa-slco.org.

3.4.1.1 Hazardous Materials Permit, and/or Tier 2 Submission Fees

Hazardous Materials Permits - The Salt Lake County LEPC administers a Hazardous Materials Permit program under the Unified Fire Authority (UFA). Please contact the LEPC directly to determine fees associated with a hazardous material permits and when the fee is payable. In Salt Lake County, if your facility is located in a municipality that does not issue hazardous materials

permit, the Salt Lake County LEPC may issue the permit. If your facility is located in a municipality that does issue a hazardous materials permit, the municipality may charge a fee.

Filing fees may be required for various hazardous materials permit programs administered in association with the LEPC's listed below. Hazardous Materials permits administered by local jurisdictions may be collected at different times. For specific information, please contact that agency directly. Information for the municipal programs is provided for reference and is available on the various websites and links outlined below.[2]

3.4.2 Salt Lake City

Information about the Salt Lake City LEPC is available for review on line at:

http://www.slcfire.com/go/doc/3687/1334791/

Contact Ted Johnson at 801-799-4153 or Mark Luthi at 801-799-4168.

See also the link to hazardous Materials for Salt Lake City (LEPC) contact information.

Tier 2 reports may be submitted to the Salt Lake City LEPC via email to lepc@slcgov.com. Salt Lake City charges no fee for the Tier 2 submission.

3.4.3 West Jordan

Information for the West Jordan City LEPC is available at:

http://www.ci.west-jordan.ut.us/Fire.aspx?pgID=3.9.7.4.2

For specific information about making submissions please contact the city of West Jordan at 801-260-7300 or email to infowjfd@wjordan.com, or Tier 2 submission to reeds@wjordan.com.

3.4.4 West Valley City

The West Valley City Fire Prevention Bureau is located at 3600 South Constitution Blvd. West Valley City, Utah 84119 (801) 963-3367. Information about the West Valley City Hazardous Materials fee schedule can be reviewed at:

http://www.wvc-ut.gov/index.asp?NID=127

Haz Mat Tier II submissions can be sent to the West Valley City LEPC electronically to fireprevention@wvc-ut.gov.

4.0 Where to Submit Tier 2 Data

Federal EPCRA regulations require that each facility submit Tier 2 data to three entities:
1. State Emergency Response Commission (SERC);
2. Local Emergency Planning Commission (LEPC); and,
3. Fire Department (with jurisdiction over the location of your facility)

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[2] All web links were successfully tested 1/07/14.

Detailed information about each entity is presented below.

1. State Emergency Response Commission (SERC)

Utah DEQ acts on behalf of the SERC to receive Tier 2 submissions. UDEQ established a generic email address for completing the Tier 2 data submission to Utah. To submit the Tier 2 data, attach the electronic file to regular email and submit to eqderrtier2@utah.gov. Email is the preferred method of submission.

2. Local Emergency Planning Committees (LEPC). A list of LEPCs in Utah is available at: http://www.superfund.utah.gov/docs/lepc.pdf

3. Fire department with jurisdiction over your facility location.[3] Please consult the LEPC for this information, as needed.

5.0 Contact Information

Inquiries about EPCRA can be directed to the EPCRA Coordinator Mike Zucker at (801) 536-4143 or by email: eqderrtier2@utah.gov.

6.0 Additional Support Documentation

EPA publishes the List-of-Lists Consolidated List of Chemicals Subject to the Emergency Planning and Community Right-To-Know Act (EPCRA) and Section 112(r) of the Clean Air Act. The document offers a chemical cross-reference across several federal programs and the reader is advised that it is only a reference. It can be helpful in identifying a chemical as an Extremely Hazardous Substance chemical and the associated threshold to which it is subject under the Tier 2 program. Changes to chemicals and thresholds occur infrequently; however, regulatory changes will only appear when a new version of this document is published. Statutory changes are published annually in the Federal Register.

The EPA List of Lists (October 2012 version) is available in Adobe PDF, and Microsoft Excel at:

http://www2.epa.gov/epcra-tier-i-and-tier-ii-reporting/epcracerclacaa-ss112r-consolidated-list-lists-october-2012

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[3] For facilities in Salt Lake County, you will not be asked to submit Tier 2 data to your Fire Department. It is the intent of the Salt Lake County LEPC to distribute Tier 2 data electronically to each of Fire Department under the jurisdiction of the UFA. For all other jurisdictions, please contact the F.D. and/or LEPC for specific submission requirements.

ATTACHMENT A

Helpful References and Reminders

HELPFUL REFERENCES

North American Industrial Classification System

Additional references are available to assist you. If you do not know the North American Industrial Classification System (NAICS) code number for your facility, there are several Internet references available. Your company's business office should have this number in corporate records. Some sites may provide a cross-walk between SIC and NAICS codes.

- http://www.census.gov/eos/www/naics/index.html
- http://www.osha.gov/pls/imis/sic_manual.html
- http://www.osha.gov/oshstats/naics-manual.html

Chemical Information

Your chemical suppliers and the Material Safety Data Sheets (MSDS) are good sources of information for:

- EHS status and chemical name;
- The Chemical Abstract Service (CAS) number;
- Physical and health hazards;
- The type of substance (pure, mix, liquid, etc.);

EPCRA Fact Sheet

This document provides an overview of the federal EPCRA program and is available at the EPA website:

http://www2.epa.gov/epcra-tier-i-and-tier-ii-reporting/epcra-fact-sheet

HELPFUL REMINDERS

Trade Secret Information - Mark the "Trade Secret" box only if your business claims the composition of the chemical as a trade secret. Claiming a Trade Secret requires filing justification with EPA.

THE WEIGHT OF CHEMICAL (IN POUNDS) PRESENT SHOULD BE ENTERED AS A RANGE CODE. Your chemical supplier or the MSDS may provide conversion factors to translate units of measure (e.g. gallons, cubic feet, and others) in to pounds.

ATTACHMENT B

**List of Utah
Local Emergency Planning Committee Contacts
And
Available Tribal LEPC Contacts**

The LEPC list is posted on the DEQ webpage at:

http://www.superfund.utah.gov/docs/2014/01Jan/lepc.pdf

Please attempt the download option first. If you still cannot access the document electronically send an email to eqderrtier2@utah.gov to request a copy.

ATTACHMENT C

**Tips for Troubleshooting the
Tier2Submit RY2013 Software Application**

Orientation
Chemicals
Idiosyncrasies and Validation Errors
Validation of a Facility Record
Checking Validation Errors
Deleting Unwanted Records
Printing & Saving a Facility Record

ORIENTATION

It is beneficial to acquire a basic familiarity with the application. When the Tier2Submit application is launched the user is presented with the **Facilities** screen. This is the default (Figure A). The **Facilities** screen shows the record for a single facility where the user will enter the basic information for a facility (Red *up-arrow* at left).

The **Facilities** screen presents a row of alternate screen-form access buttons across the top used to access the global lists of facilities, chemicals, contacts, and create a new facility record (blue *left-arrow* at right). The left-right arrows (far right) cycle through multiple Facility records (when more than one facility record has been created). Facility-specific data is entered or edited under the tabs identified by the yellow *left-arrow* at right.

Figure A

Additional facilities can be added, if needed, by clicking on the **New Facility** button.

CHEMICALS

The basic facility record information is completed after all applicable data fields have been completed under the tabs **Location**, **ID and Regs**, **Contacts**, **State Fields**, **Attachments** and **Certification**.

To create a new chemical record, click on **Chemical Inventory List.** Any chemical records created prior will be displayed (Figure B). If no chemical records exist, the list will be empty. To create a new chemical record for the facility, click **New Chemical In Inventory** located in the top row.

Figure B

To modify an existing chemical record, highlight row for the record you wish to enter. In Figure B above, the cursor-focus, and the high-light are both on the third chemical record CHLORINE. The cursor focus is the small black vertical bar to the left of the word "CHLORINE." The record is highlighted pale-purple matching the application's background. Double-click the chemical to enter the chemical record (Figure C).

Figure C

Navigation through facility records is similar to that demonstrated here using the chemical records.

A comment about the EHS Checkbox - The EHS checkbox is identified by an asterisk as a "required" data element. This can be misleading in the belief that it must always be checked. The EHS checkbox is not universal and is required only when the chemical has been identified as an EHS chemical. Use of the "Lookup Chemical Name" button when selecting a chemical will apply and execute the checkbox automatically.

IDIOSYCRACIES

The information below was compiled to assist you to determine and avoid the idiosyncrasies inherent to the validation process.

Several items will cause the validation check to fail. The most common causes are:
  (1) Existence of an existing but incomplete, or empty facility record;
  (2) Existence of an existing but incomplete, or empty chemical record;
  (3) A data element has been marked that requires supplemental data
      a. Example 1 - EHS checkbox is checked but the additional EHS chemical data required to complete the record, or EHS requirements has not been supplied;
      b. Tier2Submit requires at least one of each, an Emergency Contact and Owner/Operator contact to validate the record.

VALIDATION of a FACILITY RECORD

Validation can only be run from the **Facilities** screen (Figure A). Select the **File** menu and select **Make Validation Report**.

The Validation Report window will appear (Figure D). You will be asked to select the records to be validated then click **Make Report**.
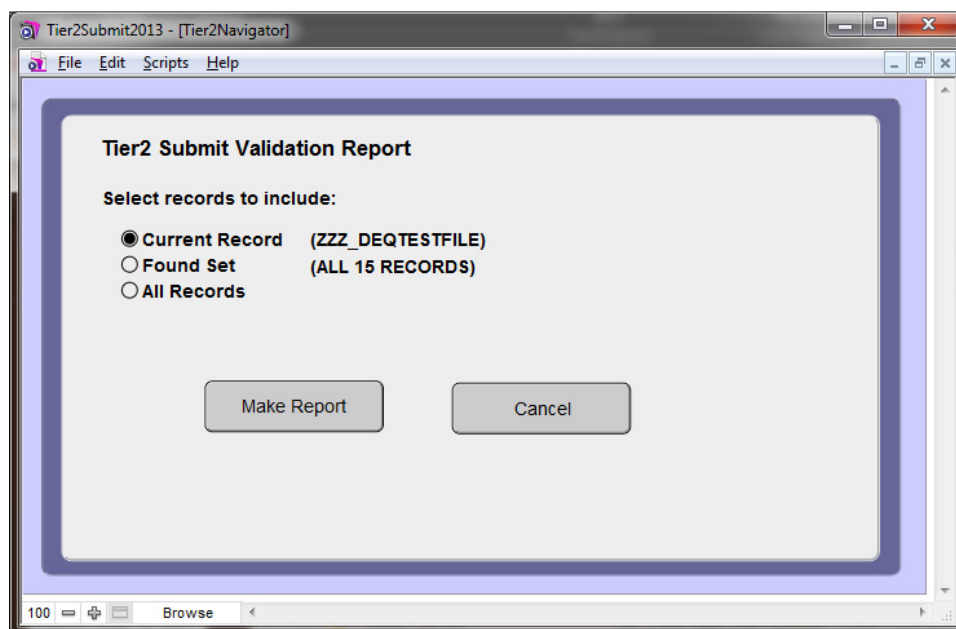

Figure D
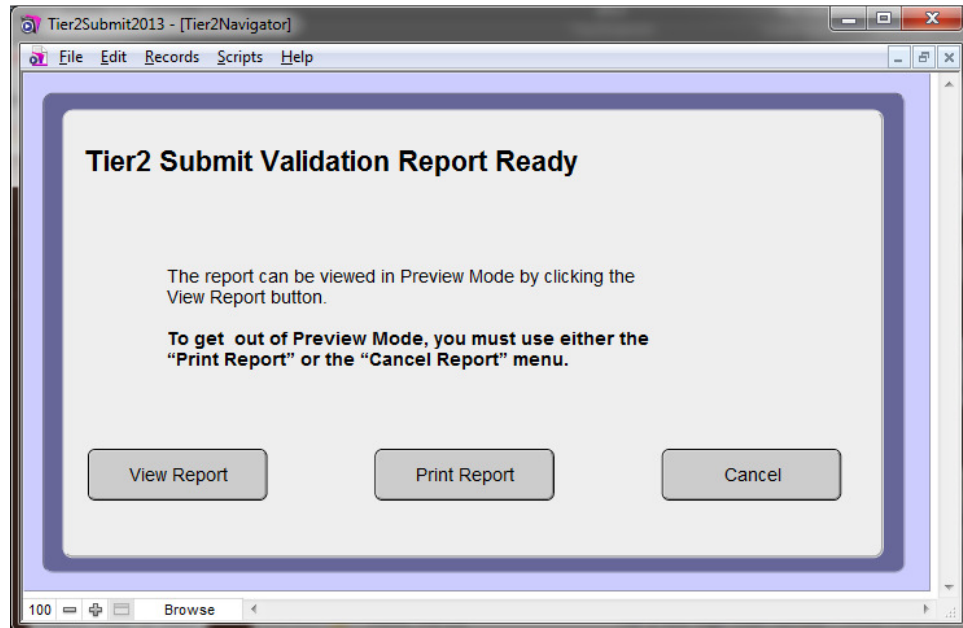
Options for the Validation report are shown (Figure E).

Figure E

Note: User must cycle through the menu system from the **Facilities** screen each time to rerun a validation.

CHECKING VALIDATION ERRORS

The Validation Report should appear. Note the errors reported (red box). Use menu **File > Close** to return to the facility and/or chemical records, make corrections and re-run validation. Historically, the validation report does not show ALL corrections at once. The validation report operates in an iterative manner by sections. After the user clears the errors in one portion of the validation report, the system will move the next section and repeat the process until all validation parameters have been satisfied.
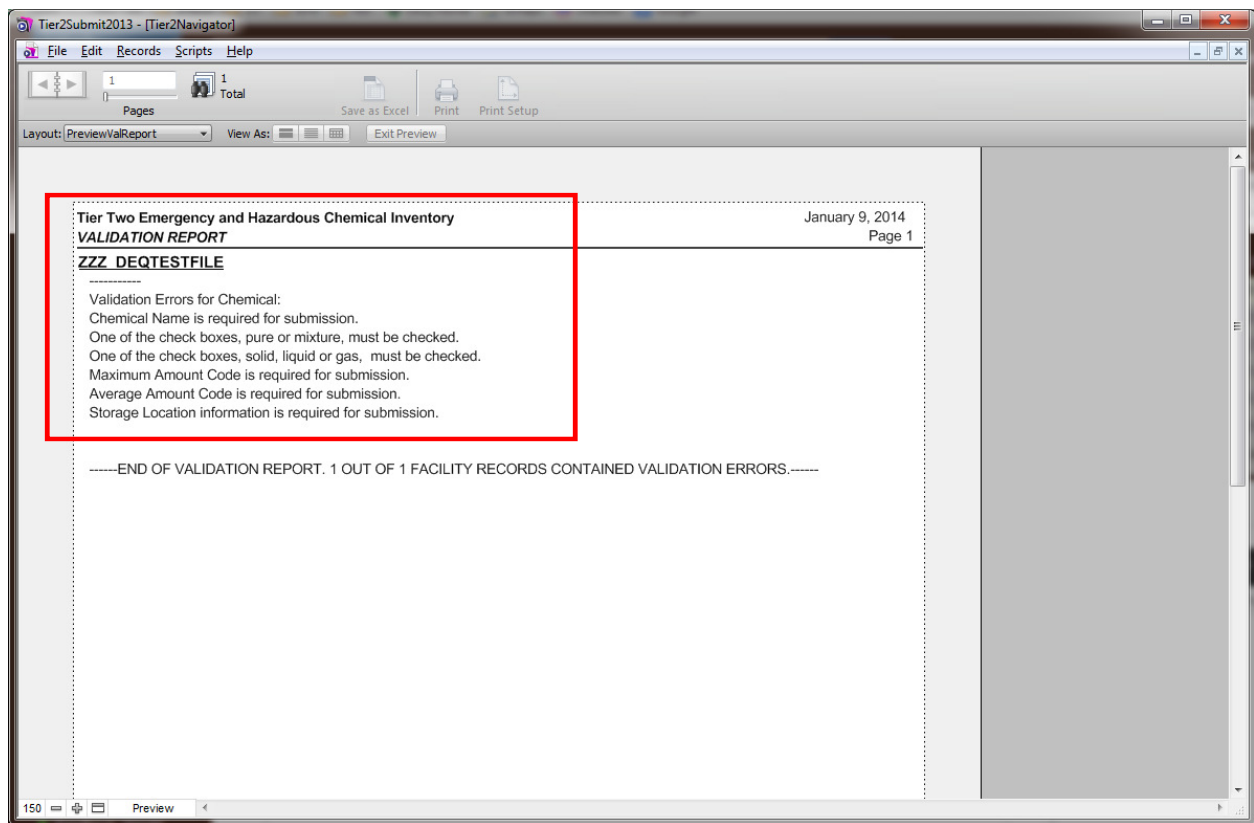

Figure F

DELETING UNWANTED RECORDS

Figures G shows an example of an incomplete chemical record. The validation process will reveal incomplete records. Be sure to check and delete any unwanted records. Note: the number of records present is also provided at upper right in the window.

Figure G

The active cursor consists of a small black vertical bar in the left margin of the record (Figure H). Select and highlight the record designated for deletion.

Figure H

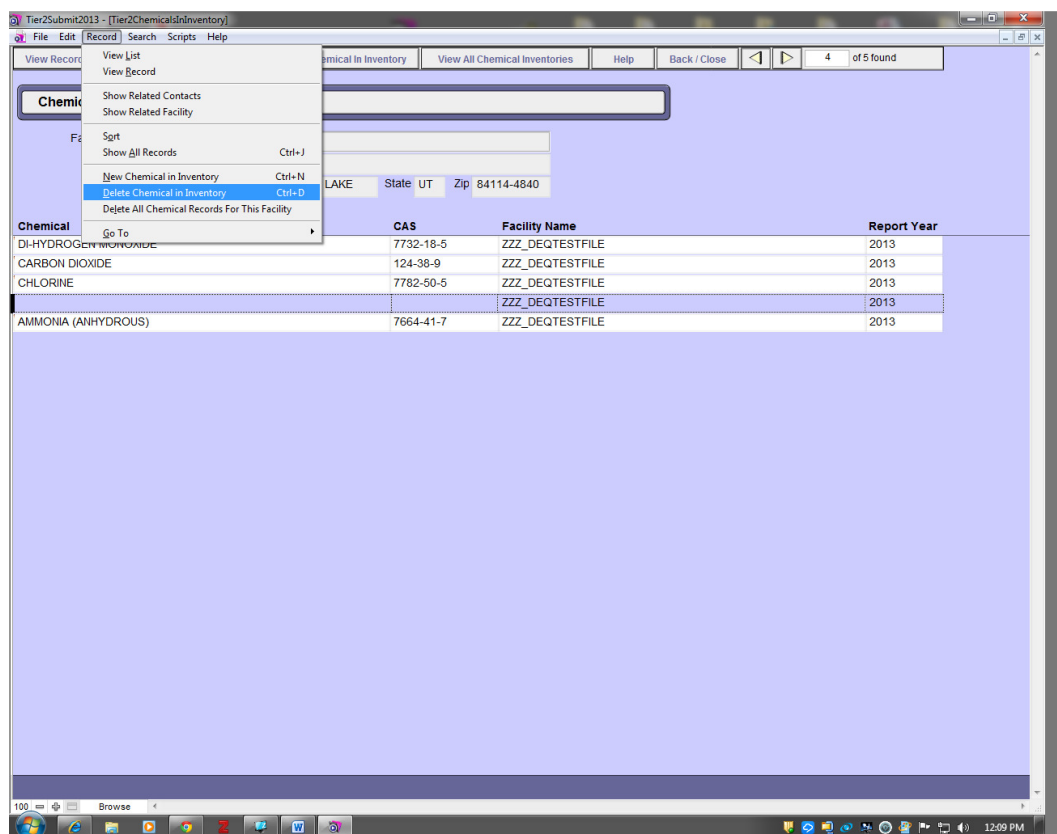Using the main menu system, select **Record > Delete Chemical in Inventory** (Figure I).

Figure I

The process for deleting a facility record and a chemical record is similar. The example above demonstrated the process using a chemical record.

PRINTING & SAVING A FACILITY RECORD

Certain inquiries have been consistent year after year. Common requests have been asked about how to print a record or save a facility file are common. These tasks are idiosyncratic in Tier2Submit. The main menu system does not provide the options to *Save / Save As*, or *Print* a document (or in this case the record). **Actions necessary to print or save a file become available only after the user has successfully validated the data record(s)**. The user can initiate the validation process from the main menu system using two options:

> (1) File > Make Validation Report; or
> (2) File > Create Submission

The first menu option will execute the validation process only and present a validation report. The second menu option will execute the validation process and then present the user with the "**Tier2 Submit Validation Check Status**" window. An example of each status result (PASSED, FAILED) is shown in Figures J & K below.
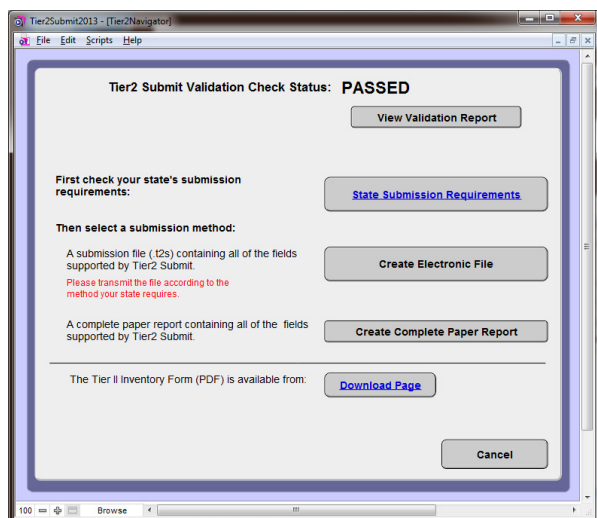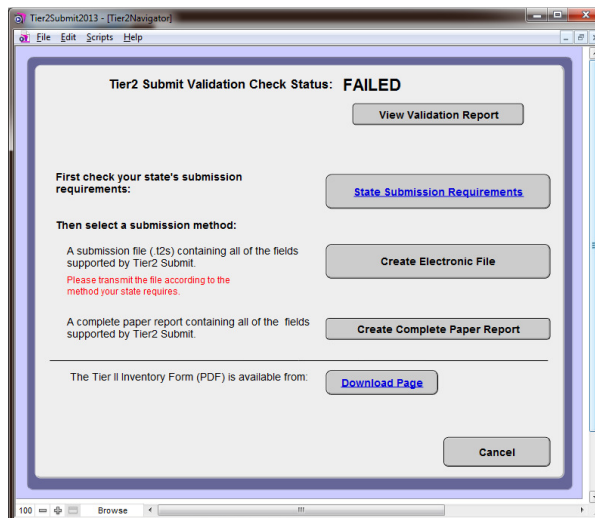

Figure J

Figure K

When the validation status returns FAILED, the application disables the Create Electronic File button. When the validation status returns PASSED, the application enables Create Electronic File.

Events that commonly cause validation failure include one or a combination of:
> (a) Incomplete data-field that is required;
> (b) Incomplete facility record;
> (c) Incomplete chemical record.

Calls for assistance have shown that users commonly create an extra facility record or an extra chemical record without realizing they have done so. It is these extra records that cause the validation failure. Checking the list of facilities and the list of chemicals may reveal these unwanted records as the cause.